

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA DIVISION**

Patricia Costello 1701 Lincoln Dr. East Ambler, PA 19002	Case No. Judge:
Plaintiff, v. B&T Financial Services, LLC c/o National Registered Agents, Inc. of MD 836 Park Ave., 2 nd Floor Baltimore, MD 21201	COMPLAINT FOR DAMAGES UNDER THE FAIR DEBT COLLECTION PRACTICES ACT, INVASION OF PRIVACY, AND OTHER EQUITABLE RELIEF JURY DEMAND ENDORSED HEREIN
Defendant.	

JURISDICTION AND VENUE

1. Jurisdiction is founded on 28 U.S.C. §1331 pursuant to the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. §1692. Venue is proper because a substantial part of the events giving rise to this claim occurred in this judicial district.

FACTS COMMON TO ALL COUNTS

2. Plaintiff is a “consumer” as defined by 15 U.S.C. §1692a(3).
3. Plaintiff incurred a “debt” as defined by 15 U.S.C. §1692a(5).
4. At the time of the communications referenced herein, Defendant either owned the debt or was retained by the owner to collect the debt.
5. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. §1692a(6).
6. Plaintiff filed this claim within the timeframe permitted under the FDCPA.
7. On or around July 16, 2010, Defendant telephoned Plaintiff.
8. During this communication, Defendant used a caller ID spoofing device to misrepresent the source of the call to be from the Montgomery County Court.

9. During this communication, Defendant accused Plaintiff of possessing stolen property.
10. During this communication, Defendant threatened to file a judgment against Plaintiff.
11. During this communication, Plaintiff notified Defendant that was in the process of bankruptcy.
12. During this communication, Defendant represented that bankruptcy would not resolve the situation and that the judgment would follow Plaintiff forever.
13. On or around August 2, 2010, Defendant telephoned Plaintiff.
14. During this communication, Defendant falsely represented that a lawsuit had been filed against Plaintiff.
15. At the time of these communications, Defendant had neither the intent nor ability to file a judgment against Plaintiff.
16. Defendant damaged Plaintiff emotionally and mentally and caused Plaintiff substantial anxiety and stress.
17. Defendant violated the FDCPA.

COUNT ONE

Violation of the Fair Debt Collection Practices Act

18. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
19. Defendant violated 15 U.S.C. §1692e in that it falsely represented the character, amount, and/or legal status of the debt.

COUNT TWO

Violation of the Fair Debt Collection Practices Act

20. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
21. Defendant violated 15 U.S.C. §1692e in that it threatened action that could not legally be taken and/or that was not intended to be taken.

COUNT THREE

Violation of the Fair Debt Collection Practices Act

22. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
23. Defendant violated 15 U.S.C. §1692e by making misrepresentations during its communications with Plaintiff.

COUNT FOUR

Violation of the Fair Debt Collection Practices Act

24. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
25. The Defendant violated 15 U.S.C. §1692f in that its actions were unfair and/or unconscionable means to collect the debt.

JURY DEMAND

26. Plaintiff demands a trial by jury.

PRAAYER FOR RELIEF

27. Plaintiff prays for the following relief:

- a. Judgment against Defendant for actual damages, statutory damages, and costs and reasonable attorney's fees pursuant to 15 U.S.C. §1692k.
- b. For such other legal and/or equitable relief as the Court deems appropriate.

Respectfully Submitted,

Legal Helpers, P.C.

By: /s/ Thomas M. Nicely

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